IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 25TH SEPTEMBER 2007 / 3RD ASWINA 1929

Bail Appl..No. 5782 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.5321/2007 Dated 06/09/2007
CRIME NO.56/07 OF CHENGANNUR EXCISE RANGE.

.....

PETITIONER/1ST ACCUSED

RAJAN NAIR, S/O KUNJUPANICKAN,
RAJA MANDIRAM, BUDHANUR MURI,
ENNAKKAD VILLAGE, CHENGANNUR.

BY ADV. SRI.S.PRAKASH

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY P.P. SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/09/2007 ALONG WITH B.A.NO.5783/07 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. Nos.5782 & 5783 of 2007

Dated this the 25th day of August, 2007

ORDER

These applications by the common petitioner are for regular bail. Identical allegation is raised in these two cases against the petitioner. He was allegedly found to be in possession of 20 litres of arrack on two different occasions i.e., on 4/4/07 and 11/12/06. He was arrested in some other crime. His arrest in these crimes have been recorded on 3/8/07. Investigation is in progress. Final report has not been filed yet. The petitioner is involved in as many as 4 other cases, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigator is granted a full complement of 60 days from the date of arrest to complete the investigation and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) These applications are allowed. The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 2/10/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.75,000/- in each case with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays, Wednesdays and Fridays between 10 a.m. and 12 noon for a period of three months from the date of his release.

(R. BASANT, JUDGE)

Nan/